

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
CARL BLESSINGS ET. AL.,

Plaintiffs,

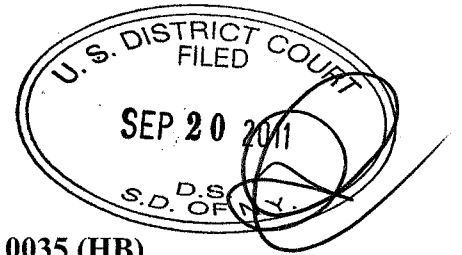
-against-

SIRIUS XM RADIO INC.,

Defendant.
-----X

09 CV 10035 (HB)

**NOTICE OF FILING
NUNC PRO TUNC**



#171

A handwritten signature, possibly "Q", written in ink.

Objector Christopher Batman files his Notice of Nunc Pro Tunc and requests that the Clerk correct the Court's Record and would state the following:

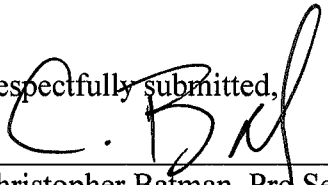
1. Objector timely filed his objection to the proposed Class Settlement and Approval of Attorneys' Fees and Expenses according to the Notice. Objector also served the parties timely. See Exhibit 1, a copy of said objection which is dated July 19, 2011.

2. The Court's record (*i.e.* docket sheet) does not include said objection. This filing should have been included as part of the Court's record. See Exhibit 2, a copy of the docket sheet which does not include Mr. Batman's objection that he filed with the Clerk of the United States District Court for the Southern District of New York, but does in fact list Christopher Batman as an Objector.

3. After speaking to the Clerk as to why the objection was not filed, Objector was informed that he had to file a Notice of Appearance, even though this was not one of the requirements in the Class Notice. A Notice of Appearance was filed, pursuant to the information the Objector received from the clerk. See attached Exhibit 3, a copy of Objector's Notice of

Appearance filed received by the Docket Unit and filed stamped by the U.S. District Court on August 16, 2011.

WHEREFORE, for the foregoing reasons, Objector respectfully requests that the Court enter said objection, which was timely filed, pursuant to the Notice, Nunc Pro Tunc to correct the Court's record.

Respectfully submitted,
By: 
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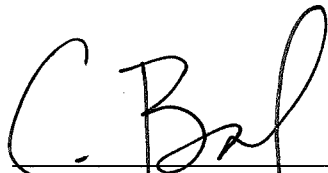
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of foregoing has been served on the parties as indicated below, on this the 15th day of September 2011.

Clerk of the United States
District Court for the Southern
District of New York
500 Pearl Street
New York, NY 10007-1312

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Counsel for Defendant


Christopher Batman

CHRISTOPHER BATMAN
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July 19, 2011

Clerk of the United States
District Court for the Southern
District of New York
500 Pearl Street
New York, NY 10007-1312

RE: *Blessing v. Sirius XM Radio Inc., Civil Action No 09-CV-10035 HB*

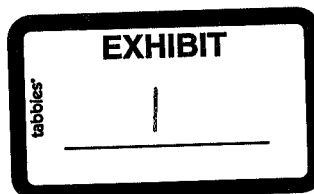
My name, address, telephone number are as follows:

Christopher Batman
7414 Lake Micala Dr.
Corpus Christi, Texas 78413

I am a class member according to the class definition. My Sirius XM account number is 106094863036.

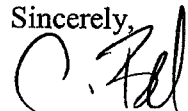
I object to the proposed settlement. I ask that this objection be considered and decided by the Court at the fairness hearing.

This lawsuit claimed Sirius XM charged anti-competitive prices to the class. The proposed settlement is not fair, adequate and reasonable because it does nothing to compensate for the anticompetitive prices charged in the past and because the settlement consideration is completely illusory. This so-called \$180 million settlement does not provide for any cash payments to the class. According to the settlement, Sirius XM "contemplated" raising its prices going forward, and now the only reason it is not doing so is because of this settlement. These are the same prices that were alleged to be anti-competitive in the first place. Locking in anti-competitive pricing does not create \$180 million in value just because Sirius XM is willing to say it "contemplated" raising prices even higher. Now class counsel is trying to take credit for the money "theoretically" saved because Sirius XM will now not raise its prices beyond what has already been alleged to be anti-competitive. Moreover, the settlement does nothing for the class members who no longer want Sirius XM. It also does not appear current and former subscribers have separate counsel or clearly separate sub-classes, and objection is made to the extent those procedures are not followed.



Attorneys' fees sought are excessive under either a lodestar or percentage of recovery analysis. The settlement consideration is completely illusory. The Objection is made on these bases, and I ask that the Court not approve the proposed settlement.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Batman', written over the word 'Sincerely,'.

Christopher Batman

cc: James J. Sabella, Esq.
GRANT & EISENHOFER, P.A.
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Class Counsel

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:09-cv-10035-HB -RLE**

Blessing v. Sirius XM Radio Inc.
Assigned to: Judge Harold Baer
Referred to: Magistrate Judge Ronald L. Ellis
Member case: [\(View Member Case\)](#)
Related Cases: [1:09-cv-10209-HB](#)
[1:10-cv-01058-HB](#)
[1:10-cv-00526-HB](#)
Similar Case: [1:09-cv-10468-HB](#)
Cause: 15:2 Antitrust Litigation

Date Filed: 12/07/2009
Date Terminated: 08/25/2011
Jury Demand: Both
Nature of Suit: 410 Anti-Trust
Jurisdiction: Federal Question

Plaintiff

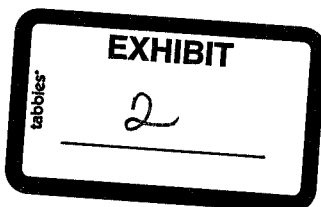
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Plaintiff

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TERMINATED: 04/26/2011*

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Date Filed	#	Docket Text
09/14/2011	<u>167</u>	MOTION for Steve A. Miller to Appear Pro Hac Vice. Document filed by Jeannine Miller. (pgu) (Entered: 09/14/2011)
09/14/2011		<p>Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>28</u> Order on Motion to Appoint Counsel, Order on Motion to Consolidate Cases <u>165</u> Notice of Filing Transcript,, <u>76</u> Endorsed Letter,,, <u>86</u> Memorandum & Opinion, <u>72</u> Declaration in Opposition to Motion filed by Sirius XM Radio Inc., <u>38</u> Memorandum of Law in Support of Motion filed by Sirius XM Radio Inc., <u>131</u> Notice (Other) filed by Ruth Cannata, Adam Falkner, Ken Ward, Craig Cantrall, Jill Piazza, Ben Frampton, Marvin Union, Lee Clanton, <u>111</u> Notice of Appearance filed by Dave Denny, <u>25</u> Scheduling Order,,, <u>122</u> Declaration in Support of Motion, filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Glenn Demott, Todd Hill, Susie Stanaj, David Salyer, Paola Tomassini, Carl Blessing, Edward Leyba, Ronald William Kader, Edward A. Scerbo, Brian Balaguera, John Cronin, Kevin Stanfield, <u>30</u> MOTION for Brian Keith Grube to Appear Pro Hac Vice. filed by Sirius XM Radio, Inc., Sirius XM Radio Inc., <u>159</u> MOTION for Charles M. Thompson to Appear Pro Hac Vice. filed by Tom Carder, <u>5</u> Order, Set Deadlines/Hearings,, <u>112</u> MOTION for Edward F. Siegel to Appear Pro Hac Vice. filed by Adam Falkner, Marvin Union, <u>37</u> MOTION to Dismiss. filed by Sirius XM Radio Inc., <u>157</u> Notice of Appearance filed by Christopher Batman, <u>153</u> Declaration in Support of Motion, filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Glenn Demott, Susie Stanaj, Todd Hill, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Edward A. Scerbo, John Cronin, Kevin Stanfield, <u>64</u> Endorsed Letter, <u>110</u> Order,,, <u>58</u> MOTION for Thomas J. O'Reardon II to Appear Pro Hac Vice. filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Melissa Fast, Glenn Demott, Charles Bonisignore, Susie Stanaj, Todd Hill, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Andrew Dremak, Edward A. Scerbo, Brian Balaguera, John Cronin, Todd Stave, Kevin Stanfield, <u>45</u> Endorsed Letter,,, <u>128</u> Objection (non-motion), Objection (non-motion) filed by Linda Mrosko, <u>114</u> Notice of Appearance filed by Nicolas Martin, <u>44</u> Notice of Appearance filed by Charles Bonisignore, <u>139</u> Memorandum of Law in Opposition filed by John Sullivan, Sheila Massie, Jason M. Hawkins, <u>78</u> MOTION for Summary Judgment. filed by Sirius XM Radio Inc., <u>48</u> Memorandum of Law in Support of Motion filed by Sirius XM Radio Inc., <u>142</u> Declaration in Support of Motion,, filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Glenn Demott, Susie Stanaj, Todd Hill, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Edward A. Scerbo, John Cronin, Kevin Stanfield, <u>87</u> Notice (Other), Notice (Other) filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, James Sacchetta, Glenn Demott, Charles Bonisignore, Susie Stanaj, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Andrew Dremak, Todd Stave, <u>83</u> Declaration in Support of Motion filed by Sirius XM Radio Inc., <u>15</u> MOTION for Edward S. Cook to Appear Pro Hac Vice. filed by Carl Blessing, <u>34</u> Order on Motion to Appear Pro Hac Vice, <u>9</u> Affidavit of Service Complaints filed by Carl Blessing, <u>152</u> Declaration in Support of Motion, filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Glenn Demott, Susie Stanaj, Todd Hill, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Edward A. Scerbo, John Cronin, Kevin Stanfield, <u>61</u> Order on</p>

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09/14/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>166</u> Notice of Appeal,. (nd) (Entered: 09/14/2011)
09/14/2011		Transmission of Notice of Appeal to the District Judge re: <u>166</u> Notice of Appeal,. (nd) (Entered: 09/14/2011)
09/13/2011	<u>166</u>	NOTICE OF APPEAL from <u>162</u> Judgment, <u>163</u> Order. Document filed by Ruth Cannata, Craig Cantrall, Lee Clanton, Adam Falkner, Ben Frampton, Kim Frampton, Jill Piazza, Marvin Union, Ken Ward. Filing fee \$ 455.00, receipt number 465401016355. (nd) (Entered: 09/14/2011)
09/06/2011	<u>165</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 8/8/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:09-cv-10035-HB - RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB (McGuirk, Kelly) (Entered: 09/06/2011)
09/06/2011	<u>164</u>	TRANSCRIPT of Proceedings re: Conference held on 8/8/2011 before Judge Harold Baer. Court Reporter/Transcriber: Rebecca Forman, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/30/2011. Redacted Transcript Deadline set for 10/10/2011. Release of Transcript Restriction set for 12/8/2011.Filed In Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(McGuirk, Kelly) (Entered: 09/06/2011)
08/26/2011		CASHIERS OFFICE REMARK on <u>159</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 08/23/2011, Receipt Number 1014730. (jd) (Entered: 08/26/2011)

08/25/2011	<u>165</u>	ORDER AWARDING ATTORNEYS' FEES AND EXPENSES. NOW, THEREFORE, IT IS HEREBY ORDERED THAT: This Order Awarding Attorneys' Fees and Expenses incorporates by reference the definitions in the Settlement Agreement and all terms used herein shall, with respect to the Settlement Agreement, have the same meanings as set forth in the Settlement Agreement. The Court has jurisdiction to enter this Order Awarding Attorneys' Fees and Expenses, and over the subject matter of the Action and all parties to the Action, including all Class Members. Class counsel are hereby awarded unopposed attorneys' fees and reimbursement of expenses in the total amount of \$13,000,000.00, to be paid by Defendant Sirius XM Radio Inc., plus interest accrued at the rate of .050% from the date of entry of the Court's Preliminary Approval Order, which sum the Court finds to be fair and reasonable. (Signed by Judge Harold Baer on 8/25/2011) (jfe) (Entered: 08/25/2011)
08/25/2011	<u>162</u>	FINAL ORDER AND JUDGMENT settling action. (Signed by Judge Harold Baer on 8/25/11) (Attachments: # <u>1</u> notice of right to appeal) Filed In Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(ml) (Entered: 08/25/2011)
08/25/2011	<u>161</u>	ORDER FOR ADMISSION PRO HAC VICE: Charles M. Thompson is to appear pro hac vice in this matter. ENDORSEMENT: Application Pro Hac Vice GRANTED. The Clerk is instructed to close this motion. So Ordered. (Signed by Judge Harold Baer on 8/25/2011) (jfe) (Entered: 08/25/2011)
08/24/2011		Minute Entry for proceedings held before Judge Harold Baer: Telephone Conference held on 8/24/2011. (mro) (Entered: 09/01/2011)
08/24/2011	<u>160</u>	OPINION & ORDER #100691 re: <u>117</u> MOTION for Attorney Fees filed by Plaintiffs and <u>115</u> MOTION to Approve Final Approval of Settlement filed by Plaintiffs. I have considered their oral and written submissions and for the reasons described within the motions are GRANTED. The Clerk of the Court is instructed to close this matter and remove it from my docket. (Signed by Judge Harold Baer on 8/24/2011) (ab) Modified on 8/25/2011 (ajc). (Entered: 08/24/2011)
08/24/2011		CASHIERS OFFICE REMARK on <u>154</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 08/03/2011, Receipt Number 1013154. (jd) (Entered: 08/24/2011)
08/23/2011	<u>159</u>	MOTION for Charles M. Thompson to Appear Pro Hac Vice. Document filed by Tom Carder.(pgu) (Entered: 08/24/2011)
08/22/2011	<u>158</u>	NOTICE of Recent Appellate Decisions re: <u>134</u> Objection (non-motion), Objection (non-motion). Document filed by Nicolas Martin. (Attachments: # <u>1</u> Exhibit In re Bluetooth (Aug. 19, 2011), # <u>2</u> Exhibit In re Aqua Dots (Aug. 17, 2011))(Frank, Theodore) (Entered: 08/22/2011)
08/16/2011	<u>157</u>	NOTICE OF APPEARANCE by Christopher Batman. (laq) (laq). (Entered: 08/17/2011)
08/08/2011		Minute Entry for proceedings held before Judge Harold Baer: Class Action Hearing held on 8/8/2011. Decision reserved. Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(ft) (Entered: 08/12/2011)
08/05/2011	<u>156</u>	DECLARATION of Harvey S. Rosen <i>AS TO LACK OF VALUE OF SIRIUS XM RADIO SETTLEMENT CONSIDERATION</i> . Document filed by Asset Strategies, Inc., Zuravin B Charles, Deachin Jennifer, Krueger D Scott, Crutchfield Stephen. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Weiss, Matthew) (Entered: 08/05/2011)
08/05/2011	<u>155</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>154</u> Motion for R. Stephen Griffis to Appear Pro Hac Vice for Randy Lyons. (Signed by Judge Harold Baer on 8/5/11) (cd) (Entered: 08/05/2011)
08/03/2011	<u>154</u>	MOTION for R. Stephen Griffis to Appear Pro Hac Vice. Document filed by Randy Lyons. (pgu) (Entered: 08/04/2011)

08/03/2011	<u>152</u>	DECLARATION of Matthew Potter in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 08/03/2011)
08/03/2011	<u>152</u>	DECLARATION of James Langenfeld in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 08/03/2011)
08/03/2011	<u>151</u>	DECLARATION of Shelly L. Friedland in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1 through 4 to Shelly Friedland Reply Declaration, # <u>2</u> Exhibit 5 through 9 to Shelly Friedland Reply Declaration, # <u>3</u> Exhibit 10 through 12 to Shelly Friedland Reply Declaration, # <u>4</u> Exhibit 13 through 18 to Shelly Friedland Reply Declaration)(Sabella, James) (Entered: 08/03/2011)
08/03/2011	<u>150</u>	DECLARATION of James J. Sabella in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1 through 11 to James Sabella Reply Declaration, # <u>2</u> Exhibit 12 through 17 to James Sabella Reply Declaration)(Sabella, James) (Entered: 08/03/2011)
08/03/2011	<u>149</u>	REPLY MEMORANDUM OF LAW in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Sabella, James) (Entered: 08/03/2011)
07/25/2011	144	CONSUMER PLAINTIFF MICHAEL HARTLEIB'S NOTICE of Intention to Appear at the Fairness Hearing, and Objections to Proposed Settlement and Award of Attorneys' Fees. Document filed by Consumer Michael Hartleib. (mro) (Entered: 07/26/2011)
07/25/2011	143	SHAREHOLDER PLAINTIFF MICHAEL HARTLEIB'S NOTICE of Intention to Appear at the Fairness Hearing, and Objections to Proposed Settlement and Award of Attorneys' Fees. Document filed by Shareholder Michael Hartleib. (mro) (Entered: 07/26/2011)
07/22/2011	148	Objection to Proposed Settlement, Notice of Appearance and Intent to be Heard. [*Accepted for filing by the Chambers of the Honorable Harold Baer.] Document filed by Randy Lyons. (tro) (Entered: 07/27/2011)
07/22/2011	147	Notice of Objection to Class Action Settlement and Request for Attoreny's Fees and Notice of Intention Not to Appear. [*Accepted for filing by the Chambers of the Honorable Harold Baer.] Document filed by Ruth Cannata, Craig Cantrall, Lee Clanton, Adam Falkner, Jill Piazza, Marvin Union, Ken Ward, Kim Frampton. (tro) (Entered: 07/27/2011)
07/22/2011	146	Shareholder Plaintiff Brian Goe, Notice of Intention to Appear at the Fairness hearing and Objections to Plaintiffs' Motion for Final Approval of Proposed Settlement. [*Accepted for

		<p>by the Chambers of the Honorable Harold Baer.] Document filed by Brian Goe. (tro) Modified on 7/27/2011 (tro). (Entered: 07/27/2011)</p>
07/22/2011	<u>145</u>	<p>Objection to Proposed Settlement, Notice of Appearance and Intent to be Heard. Filed by Tom Carder. [*Accepted for filing by the Chambers of the Honorable Harold Baer.] (tro) Modified on 7/27/2011 (tro). (Entered: 07/27/2011)</p>
07/22/2011		<p>CASHIERS OFFICE REMARK on <u>135</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/19/2011, Receipt Number 11928. (jd) (Entered: 07/22/2011)</p>
07/21/2011		<p>CASHIERS OFFICE REMARK on <u>112</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/12/2011, Receipt Number 11287. (jd) (Entered: 07/21/2011)</p>
07/21/2011		<p>CASHIERS OFFICE REMARK on <u>127</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/08/2011, Receipt Number 11026. (jd) (Entered: 07/21/2011)</p>
07/20/2011	<u>142</u>	<p>DECLARATION of Shelly L. Friedland in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Certificate of Service)(Sabella, James) (Entered: 07/20/2011)</p>
07/20/2011	<u>141</u>	<p>ORDER FOR ADMISSION PRO HAC VICE granting <u>135</u> Motion for John J. Pentz to Appear Pro Hac Vice on behalf of Lange M. Thomas. (Signed by Judge Harold Baer on 7/20/11) (dj) (Entered: 07/20/2011)</p>
07/19/2011	<u>140</u>	<p>NOTICE OF APPEARANCE by Matthew Jay Weiss on behalf of Asset Strategies, Inc., Zuravin B Charles, Deachin Jennifer, Krueger D Scott, Crutchfield Stephen (Weiss, Matthew) (Entered: 07/19/2011)</p>
07/19/2011	<u>139</u>	<p>MEMORANDUM OF LAW in Opposition re: <u>138</u> Declaration in Opposition. Document filed by Jason M. Hawkins, Sheila Massie, John Sullivan. (Erlanger, Robert) (Entered: 07/19/2011)</p>
07/19/2011	<u>138</u>	<p>DECLARATION of Robert K. Erlanger in Opposition. Document filed by Jason M. Hawkins, Sheila Massie, John Sullivan. (Erlanger, Robert) (Entered: 07/19/2011)</p>
07/19/2011	<u>137</u>	<p>NOTICE OF APPEARANCE by Robert Keith Erlanger on behalf of John Sullivan, Sheila Massie, Jason M. Hawkins (Erlanger, Robert) (Entered: 07/19/2011)</p>
07/19/2011	<u>136</u>	<p>Objection re: <u>108</u> Order on Motion to Approve., <i>Objection of Lange M. Thomas and Notice of Intention to Appear</i>. Document filed by Lange M. Thomas. (Attachments: # <u>1</u> Exhibit) (Horowitz, Eric) (Entered: 07/19/2011)</p>
07/19/2011	<u>135</u>	<p>MOTION for John J. Pentz to Appear Pro Hac Vice. Document filed by Lange M. Thomas. (pgu) (Entered: 07/19/2011)</p>
07/19/2011	<u>134</u>	<p>Objection to Proposed Settlement and Attorney Fee Request, and Notice of Intent to Appear (Corrected to include attached exhibits). Document filed by Nicolas Martin. (Attachments: # <u>1</u> Exhibit - Sirius Letter to FCC, # <u>2</u> Exhibit - Reply Comments of Sirius to FCC, # <u>3</u> Exhibit - ABA Ethics Letter)Filed In Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(Stein, David) (Entered: 07/19/2011)</p>
07/19/2011	<u>133</u>	<p>ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>127</u> Motion for Theodore H. Frank to Appear Pro Hac Vice for Nicholas Martin. (Signed by Judge Harold Baer on 7/19/11) (cd) (Entered: 07/19/2011)</p>
07/19/2011	<u>132</u>	<p>ORDER granting <u>112</u> Motion for Edward F. Siegel to Appear Pro Hac Vice for Martin Union, Michael Lunsford and Adam Falkner. (Signed by Judge Harold Baer on 7/19/11) (cd)</p>

07/19/2011	<u>131</u>	NOTICE of Objection. Document filed by Adam Falkner, Marvin Union, Jill Piazza, Ken Ward, Ruth Cannata, Lee Clanton, Craig Cantrall, Ben Frampton. (Siegel, Edward) (Entered: 07/19/2011)
07/18/2011	<u>130</u>	Objection to Proposed Settlement and Attorney Fee Request, and Notice of Intent to Appear. Document filed by Nicolas Martin. Filed In Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(Stein, David) (Entered: 07/18/2011)
07/18/2011	<u>129</u>	Objection to Proposed Settlement and Notice of Intent to Appear at Fairness Hearing. Document filed by Crutchfield Stephen, Krueger D Scott, Asset Strategies, Inc., Zuravin B Charles, Deachin Jennifer. (Weiss, Matthew) (Entered: 07/18/2011)
07/18/2011	<u>128</u>	Objection re: (108 in 1:09-cv-10035-HB -RLE) Order on Motion to Approve., <i>Objections Regarding Proposed Settlement</i> . Document filed by Linda Mrosko. (Attachments: # <u>1</u> Affidavit Declaration of Linda Mrosko)Filed In Associated Cases: 1:09-cv-10035-HB -RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(Margulies, Robert) (Entered: 07/18/2011)
07/18/2011	<u>126</u>	DECLARATION of James J. Sabella in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1 through 10, # <u>2</u> Exhibit 11 through 13, # <u>3</u> Exhibit 14, # <u>4</u> Exhibit 15 through 24)(Sabella, James) (Entered: 07/18/2011)
07/18/2011	<u>125</u>	MEMORANDUM OF LAW in Support re: <u>117</u> MOTION for Attorney Fees.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Sabella, James) (Entered: 07/18/2011)
07/15/2011	<u>124</u>	DECLARATION of Shannon R. Wheatman in Support re: <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>123</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #126) - DECLARATION of James J. Sabella in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1 through 10, # <u>2</u> Exhibit 11 through 13, # <u>3</u> Exhibit 14, # <u>4</u> Exhibit 15-24)(Sabella, James) Modified on 7/27/2011 (lb). (Entered: 07/15/2011)
07/15/2011	<u>122</u>	DECLARATION of James Langenfeld in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)

07/15/2011	<u>121</u>	DECLARATION of Amy Lake in Support re: <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>120</u>	DECLARATION of Shelly L. Friedland in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Thomas Himinez, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>119</u>	DECLARATION of Catherine Brooker in Support re: <u>117</u> MOTION for Attorney Fees., <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>118</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - (SEE DOCUMENT #125) - MEMORANDUM OF LAW in Support re: <u>117</u> MOTION for Attorney Fees.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Sabella, James) Modified on 7/27/2011 (lb). (Entered: 07/15/2011)
07/15/2011	<u>117</u>	MOTION for Attorney Fees. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>116</u>	MEMORANDUM OF LAW in Support re: <u>115</u> MOTION to Approve Final Approval of Settlement.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Thomas Himinez, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>115</u>	MOTION to Approve Final Approval of Settlement. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Thomas Himinez, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini.(Sabella, James) (Entered: 07/15/2011)
07/15/2011	<u>114</u>	NOTICE OF APPEARANCE by David Stein on behalf of Nicolas Martin (Stein, David) (Entered: 07/15/2011)
07/14/2011		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Objection to proposed class action settlement, by Monty Delluomo, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (eef) (Entered: 07/14/2011)
07/14/2011		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Objection of Lang M. Thomas and notice of intention to appear, by John J. Pentz, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the

07/13/2011	<u>113</u>	Objection to the Class Settlement. Document filed by Thomas Himinez. (mbe) (Entered: 07/14/2011)
07/12/2011	<u>112</u>	MOTION for Edward F. Siegel to Appear Pro Hac Vice. Document filed by Adam Falkner, Marvin Union.(pgu) (Entered: 07/13/2011)
07/07/2011	<u>127</u>	MOTION for Theodore H. Frank to Appear Pro Hac Vice. Document filed by Nicolas Martin.(pgu) (Entered: 07/18/2011)
06/24/2011	<u>111</u>	NOTICE OF APPEARANCE by Rachel Eve Schwartz on behalf of Dave Denny (Schwartz, Rachel) (Entered: 06/24/2011)
06/09/2011	<u>110</u>	ORDER AMENDING CERTAIN DEADLINES SET FORTH IN MAY 19, 2011 ORDER GRANTING PLAINTIFFS' MOTION (1)FOR PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT, (2) FOR APPROVAL OF THE FORM AND MANNER OF NOTICE TO THE CLASS, AND (3) TO SCHEDULE A HEARING ON FINAL APPROVAL OF THE SETTLEMENT AND ON CLASS COUNSEL'S APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES: Pursuant to Paragraph 2 ofthe Order, the Court approves the revised form, content, and requirements ofthe Postcard Notice and the E-Mail Notice, attached hereto as Exhibits 1 and 2, respectively, that are to be sent to the Additional Class Members in accordance with the protocol set forth in Paragraphs 4(a) and 4(b) of the Order, with revised deadlines for doing so as provided by Paragraphs 2 and 3 below. The Court also approves the revised form, content, and requirements of the Long Form Notice attached hereto as Exhibit 3, which shall be posted on the website for this lawsuit constructed and maintained by the Notice Administrator pursuant to Paragraph 4(c) of the Order, as set forth in this Order. (Signed by Judge Harold Baer on 6/9/2011) (jpo) (Entered: 06/09/2011)
06/02/2011	<u>109</u>	Objection to the proposed settlement. filed by Justin P. Nichols. (mbe) (Entered: 06/03/2011)
05/19/2011		Set Deadlines/Hearings: Settlement Conference set for 8/8/2011 at 10:00 AM before Judge Harold Baer. (dj) (Entered: 05/19/2011)
05/19/2011	<u>108</u>	ORDER granting <u>94</u> ORDER GRANTING PLAINTIFFS' MOTION (1) FOR PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT, (2) FOR APPROVAL OF THE FORM AND MANNER OF NOTICE TO THE CLASS, AND (3) TO SCHEDULE A HEARING ON FINAL APPROVAL OF THE SETTLEMENT AND ON CLASS COUNSEL'S APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES. A hearing (the" Settlement Hearing") shall be held on August 8, 2011 at 10 a.m. before the Honorable Harold Baer, Jr. in the United States District Court for the SDNY, United States Courthouse, 500 Pearl Street, NY, NY. (Signed by Judge Harold Baer on 5/19/11) (dj) (Entered: 05/19/2011)
05/19/2011	<u>107</u>	DECLARATION of Todd R. Geremia in Support re: <u>78</u> MOTION for Summary Judgment.. Document filed by Sirius XM Radio Inc.. (Grube, Brian) (Entered: 05/19/2011)
05/19/2011	<u>106</u>	REPLY MEMORANDUM OF LAW in Support re: <u>78</u> MOTION for Summary Judgment.. Document filed by Sirius XM Radio Inc.. (Grube, Brian) (Entered: 05/19/2011)
05/17/2011	<u>105</u>	DECLARATION of Brian K. Grube in Support re: <u>78</u> MOTION for Summary Judgment.. Document filed by Sirius XM Radio Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6, # <u>7</u> Exhibit Exhibit 7, # <u>8</u> Exhibit Exhibit 8, # <u>9</u> Exhibit Exhibit 9, # <u>10</u> Exhibit Exhibit 10, # <u>11</u> Exhibit Exhibit 11, # <u>12</u> Exhibit Exhibit 12, # <u>13</u> Exhibit Exhibit 13, # <u>14</u> Exhibit Exhibit 14, # <u>15</u> Exhibit Exhibit 15, # <u>16</u> Exhibit Exhibit 16, # <u>17</u> Exhibit Exhibit 17, # <u>18</u> Exhibit Exhibit 18, # <u>19</u> Exhibit Exhibit 19, # <u>20</u> Exhibit Exhibit 20, # <u>21</u> Exhibit Exhibit 21, # <u>22</u> Exhibit Exhibit 22, # <u>23</u> Exhibit Exhibit 23, # <u>24</u> Exhibit Exhibit 24, # <u>25</u> Exhibit Exhibit 25, # <u>26</u> Exhibit Exhibit 26, # <u>27</u> Exhibit Exhibit 27, # <u>28</u> Exhibit Exhibit 28,

		# <u>29</u> Exhibit Exhibit 29, # <u>30</u> Exhibit Exhibit 30)(Grube, Brian) (Entered: 05/17/2011)
05/17/2011	<u>104</u>	RULE 56.1 STATEMENT. Document filed by Sirius XM Radio Inc.. (Grube, Brian) (Entered: 05/17/2011)
05/17/2011	<u>103</u>	MEMORANDUM OF LAW in Support re: <u>78</u> MOTION for Summary Judgment.. Document filed by Sirius XM Radio Inc.. (Grube, Brian) (Entered: 05/17/2011)
05/16/2011	<u>102</u>	DECLARATION of James J. Sabella in Opposition re: <u>78</u> MOTION for Summary Judgment.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 Part One, # <u>3</u> Exhibit 2 Part Two, # <u>4</u> Exhibit 3 - 5, # <u>5</u> Exhibit 6 - 13, # <u>6</u> Exhibit 14 - 20, # <u>7</u> Exhibit 21 - 26, # <u>8</u> Exhibit 27 - 29, # <u>9</u> Exhibit 30 - 33, # <u>10</u> Exhibit 34 - 37, # <u>11</u> Exhibit 38 Part One, # <u>12</u> Exhibit 38 Part Two, # <u>13</u> Exhibit 39 - 44, # <u>14</u> Exhibit 45 - 55, # <u>15</u> Exhibit 56 - 84, # <u>16</u> Exhibit 85 - 101, # <u>17</u> Exhibit 102 - 104, # <u>18</u> Exhibit 105 - 122, # <u>19</u> Exhibit 123 - 140, # <u>20</u> Exhibit 141 - 147, # <u>21</u> Exhibit 148 - 159) (Sabella, James) (Entered: 05/16/2011)
05/16/2011	<u>101</u>	DECLARATION of James Langenfeld in Opposition re: <u>78</u> MOTION for Summary Judgment.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 05/16/2011)
05/16/2011	<u>100</u>	DECLARATION of Basil Imburgia in Opposition re: <u>78</u> MOTION for Summary Judgment.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 05/16/2011)
05/16/2011	<u>99</u>	RULE 56.1 STATEMENT. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 05/16/2011)
05/16/2011	<u>98</u>	MEMORANDUM OF LAW in Opposition re: <u>78</u> MOTION for Summary Judgment.. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 05/16/2011)
05/13/2011	<u>97</u>	DECLARATION of Shannon R. Wheatman in Support re: <u>94</u> MOTION to Approve Preliminary Approval of Proposed Settlement, Approval of the Form and Manner of Notice to the Class, and to Schedule A Hearing on Final Approval of Settlement and on Class Counsel's Application for An Award of Attorneys Fees and. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Sabella, James) (Entered: 05/13/2011)
05/13/2011	<u>96</u>	DECLARATION of James J. Sabella in Support re: <u>94</u> MOTION to Approve Preliminary Approval of Proposed Settlement, Approval of the Form and Manner of Notice to the Class, and to Schedule A Hearing on Final Approval of Settlement and on Class Counsel's Application for An Award of Attorneys Fees and. Document filed by Brian Balaguera, Carl

		Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Exhibit 1)(Sabella, James) (Entered: 05/13/2011)
05/13/2011	<u>95</u>	MEMORANDUM OF LAW in Support re: <u>94</u> MOTION to Approve Preliminary Approval of Proposed Settlement, Approval of the Form and Manner of Notice to the Class, and to Schedule A Hearing on Final Approval of Settlement and on Class Counsel's Application for An Award of Attorneys Fees and. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini. (Attachments: # <u>1</u> Certificate of Service)(Sabella, James) (Entered: 05/13/2011)
05/13/2011	<u>94</u>	MOTION to Approve Preliminary Approval of Proposed Settlement, Approval of the Form and Manner of Notice to the Class, and to Schedule A Hearing on Final Approval of Settlement and on Class Counsel's Application for An Award of Attorneys Fees and Expenses. Document filed by Brian Balaguera, Carl Blessing, Scott Byrd, John Cronin, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Paola Tomassini.(Sabella, James) (Entered: 05/13/2011)
05/12/2011	<u>93</u>	STIPULATION AND ORDER: IT IS HEREBY STIPULATED AND AGREED that pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, plaintiff Charles Bonsignore hereby withdraws as a named plaintiff while remaining as a member of the certified class until he decides otherwise. (Signed by Judge Harold Baer on 5/12/2011) (jfe) (Entered: 05/12/2011)
05/12/2011	<u>92</u>	ORDER: It is hereby ORDERED that each party file on the public docket, via ECF, all of the Sealed Documents that it originally filed under seal. It is further ORDERED that, in order to maintain certain protected information under seal: 1. Defendant shall redact from Exhibit 26 to the January 18, 2011 Declaration of Brian Grube page 10 lines 5 and 12; page 11 line 22; and page 12, line 3. Defendant shall replace the full transcripts of the depositions of Catherine Brooker, David Frear, Mel Karmazin, James Meyer, Jennifer Campbell Witz and Brian Wood, which are attached as Exhibits 13-18 to the January 18, 2011 Declaration of Brian Grube, with the corresponding excerpts attached to its letter to the Court of May 2, 2011, as amended by email from Defendant's counsel to Chambers dated May 10, 2011. Defendant shall file the redacted version of Exhibit 3 to the January 18, 2011 Declaration of Brian K. Grube that Defendant has already filed on the public docket in this case. Plaintiffs shall redact Exhibits 19-22 and 126-127 from the February 8, 2011 Declaration of James Sabella, and replace each exhibit with a single page marked with the exhibit number and the words "FILED UNDER SEAL". Plaintiffs shall redact the rate information from paragraph 18 of their Statement of Additional Facts in Opposition to Defendant's Motion for Summary Judgment. Plaintiffs shall redact the rate information from footnote 56 of the Damages Report of Dr. James Langenfeld, filed as Exhibit 1 to the February 3, 2011 Declaration of Dr. Langenfeld. Plaintiffs shall file the redacted version of Exhibit 1 to the February 8, 2011 Declaration of James Sabella that Defendant has already filed on the public docket in this case. Plaintiffs shall file the redacted version of Exhibit 2 to the February 8, 2011 Declaration of James Sabella that is available on the FCC's website. (Signed by Judge Harold Baer on 5/12/2011) (jfe) (Entered: 05/12/2011)
05/10/2011	<u>91</u>	ORDER that the 4/14/11 motion (doc #88, Notice) be, and the same hereby is, granted; Andrew Dremak is no longer a a named plaintiff in the case. (Signed by Judge Harold Baer on 5/10/11) (cd) (Entered: 05/10/2011)
05/04/2011		Minute Entry for proceedings held before Judge Harold Baer: Status Conference held on 5/4/2011. (pl) (Entered: 06/02/2011)

04/26/2011	<u>70</u>	ORDER. It is hereby ORDERED, that the motion be, and the same hereby is, granted; and it is further ORDERED, that Todd Stave is no longer a named plaintiff in the above-captioned case. Re: <u>87</u> NOTICE of Motion for Order Permitting Todd Stave to Withdraw as a Named Plaintiff. (Signed by Judge Harold Baer on 4/25/2011) (rjm) (Entered: 04/26/2011)
04/19/2011	<u>89</u>	ENDORSED LETTER addressed to Judge Harold Baer from Brian Grube dated 4/19/11 re: Request to extend time two weeks for objections to the unsealing of exhibits filed in connection with Sirius XM's summary judgment motion. ENDORSEMENT: Two week extension to object is granted - for any objections to unsealing of exhibits - to 4/28/11. (Signed by Judge Harold Baer on 4/14/11) (cd) (Entered: 04/19/2011)
04/14/2011	<u>88</u>	NOTICE of Motion for Order Permitting Andrew Dremak to Withdraw as a Named Plaintiff. Document filed by Brian Balaguera, Carl Blessing, Charles Bonisignore, Scott Byrd, John Cronin, Glenn Demott, Andrew Dremak, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Todd Stave, Paola Tomassini. (Attachments: # <u>1</u> Certificate of Service)(Sabella, James) (Entered: 04/14/2011)
04/05/2011		Minute Entry for proceedings held before Judge Harold Baer: In Chambers Conference held on 4/5/2011. Pretrial Conference held., (mbe) (Entered: 04/07/2011)
04/01/2011	<u>87</u>	NOTICE of of Motion for Order Permitting Todd Stave to Withdraw as a Named Plaintiff. Document filed by Carl Blessing, Charles Bonisignore, Scott Byrd, Glenn Demott, Andrew Dremak, Curtis Jones, Ronald William Kader, Edward Leyba, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Todd Stave, Paola Tomassini. (Sabella, James) (Entered: 04/01/2011)
03/29/2011	<u>86</u>	OPINION AND ORDER: #100132 The motion for summary judgment is GRANTED as it pertains to the consumer protection claims, which are hereby dismissed. The motion is otherwise DENIED. The Clerk of the Court is instructed to close this motion and remove it from my docket. (Signed by Judge Harold Baer on 3/29/2011) (jfe) Modified on 3/30/2011 (ajc). (Entered: 03/29/2011)
03/29/2011	<u>85</u>	OPINION AND ORDER: #100133 For the foregoing reasons, the motion for class certification is GRANTED as to the federal antitrust class, and DENIED as to the injunctive relief class and consumer protection class, and DENIED as moot as to the breach of contract class. Plaintiffs are appointed Class Representative, and Grant & Eisenhofer P.A., Milberg LLP, and Cook, Hall & Lampros, LLP is appointed Class Counsel. The Clerk of the Court is instructed to close this motion. (Signed by Judge Harold Baer on 3/29/2011) (jfe) Modified on 3/30/2011 (ajc). (Entered: 03/29/2011)
03/21/2011	<u>84</u>	STIPULATION AND ORDER TO DISMISS PLAINTIFF MELISSA FAST WITHOUT PREJUDICE: It is hereby stipulated and agreed by and between the parties that Melissa Fast be dismissed as a plaintiff from the above captioned action without prejudice. (Signed by Judge Harold Baer on 3/21/2011) (jpo) (Entered: 03/21/2011)
03/09/2011	<u>83</u>	DECLARATION of Brian K. Grube in Support re: <u>78</u> MOTION for Summary Judgment.. Document filed by Sirius XM Radio Inc.. (Attachments: # <u>1</u> Exhibit 12, # <u>2</u> Exhibit 13-30) (Geremia, Todd) (Entered: 03/09/2011)
02/16/2011	<u>82</u>	SEALED DOCUMENT placed in vault.(mps) (Entered: 02/16/2011)
02/08/2011	<u>81</u>	SEALED DOCUMENT placed in vault.(cb) (Entered: 02/09/2011)
02/02/2011	<u>80</u>	TRANSCRIPT of proceedings held on January 11, 2011 at 10:35 a.m. before Judge Harold Baer. (js) (Entered: 02/02/2011)
01/21/2011	<u>79</u>	SEALED DOCUMENT placed in vault.(nm) (Entered: 01/21/2011)
01/18/2011	<u>78</u>	MOTION for Summary Judgment. Document filed by Sirius XM Radio Inc..(Geremia,

		Minute Entry for proceedings held before Magistrate Judge Ronald L. Ellis: Telephone Conference held on 1/5/2011 in reference to discovery issues. (mbe) (Entered: 01/11/2011)
01/05/2011	<u>77</u>	NOTICE of Supplemental Authority. Document filed by Brian Balaguera, Carl Blessing, Charles Bonisignore, Scott Byrd, John Cronin, Glenn Demott, Andrew Dremak, Melissa Fast, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Todd Stave, Paola Tomassini. (Safirstein, Peter) (Entered: 01/05/2011)
12/21/2010	<u>76</u>	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Todd R. Geremia dated 12/21/10 re: counsel for defendant writes that if the Court is going to allow plaintiffs to submit this wholly improper motion seeking leave to amend their complaint for a third time in contravention of the Court's prior Orders and Individual Practices-and we respectfully submit that the Court should not Sirius XM requests that it be allowed 30 days to submit its response, which is less than the time it took plaintiffs to conceive and prepare this motion. ENDORSEMENT: For a myriad of reasons and I catalogue only a few the plaintiff's motion to amend is denied. My first order forbade more pleadings. My individual practices forbids it. Plaintiffs waived rights by failing to seek reconsideration or even leave to replead and finally there is nothing new to be said with respect to the claim. While I endeavor as does the philosophy behind the FRCP to try cases on their merits this application at this time with this background stretches credibility Denied. (Signed by Judge Harold Baer on 12/21/10) (pl) (Entered: 12/21/2010)
12/01/2010	<u>75</u>	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Sirius XM Radio Inc.. Related document: <u>46</u> Amended Complaint,, filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Melissa Fast, Glenn Demott, Charles Bonisignore, Todd Hill, Susie Stanaj, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Andrew Dremak, Edward A. Scerbo, Brian Balaguera, John Cronin, Todd Stave, Kevin Stanfield.(Geremia, Todd) (Entered: 12/01/2010)
11/17/2010	<u>74</u>	OPINION AND ORDER #99666 re: <u>47</u> MOTION to Dismiss filed by Sirius XM Radio Inc., <u>54</u> MOTION to Bifurcate filed by Scott Byrd, Paul Stasiukevicius, Curtis Jones, Joshua Nathan, Janel Stanfield, Greg Lucas, James Sacchetta, James Hewitt, Melissa Fast, Glenn Demott, Charles Bonisignore, Todd Hill, Susie Stanaj, David Salyer, Paola Tomassini, Edward Leyba, Carl Blessing, Ronald William Kader, Andrew Dremak, Edward A. Scerbo, Brian Balaguera, John Cronin, Todd Stave, Kevin Stanfield. The motion to dismiss is GRANTED in part and DENIED in part. For the reasons given above, I find that the eleven plaintiffs named on May 3, 2010 were timely joined. Plaintiffs have stated claims under New York Gen. Bus. Law § 349 and Cal. Civ. Code §§ 1770(a)(5), (9), and (14), and provided sufficient notice as to damages. Likewise, Plaintiffs are not in breach of the notice requirements of Mass. Gen. Laws Ann. ch. 93A, § 9, and the Massachusetts claims may proceed. Claims under Cal. Civ. Code §§ 1770(a)(7), (16) and (19) are dismissed, as are the claims for breach of contract and breach of the covenant of good faith and fair dealing. The portion of Defendant's motion to dismiss that attacks Plaintiffs' standing to bring certain state law claims is DENIED, but may be renewed following my decision on the class certification motion if Article III standing concerns remain. The motion to bifurcate is DENIED. The Clerk of the Court is instructed to close this motion and remove it from my docket. (Signed by Judge Harold Baer on 11/17/2010) (jar) Modified on 11/18/2010 (jar). Modified on 11/18/2010 (ajc). (Entered: 11/17/2010)
10/29/2010	73	SEALED DOCUMENT placed in vault.(nm) (Entered: 10/29/2010)
09/30/2010	<u>72</u>	DECLARATION of Brian K. Grube in Opposition re: <u>67</u> MOTION to Certify Class.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 09/30/2010)

09/30/2010	<u>71</u>	MEMORANDUM OF LAW in Opposition re: <u>67</u> MOTION to Certify Class.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 09/30/2010)
09/07/2010		CASHIERS OFFICE REMARK on <u>70</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 08/27/2010, Receipt Number 913127. (jd) (Entered: 09/07/2010)
09/02/2010		Minute Entry for proceedings held before Magistrate Judge Ronald L. Ellis: Initial Pretrial Conference held on 9/2/2010. Conference held on discovery related issues (document production). Conference adjourned sine die. (tro) (Entered: 09/07/2010)
08/27/2010	<u>70</u>	MOTION for Hal D. Cunningham to Appear Pro Hac Vice. Document filed by Brian Balaguera. Filed In Associated Cases: 1:09-cv-10035-HB-RLE, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(mro) (Entered: 08/31/2010)
08/20/2010	<u>69</u>	PRETRIAL CONFERENCE ORDER: Pretrial Conference set for 9/2/2010 at 10:00 AM in Courtroom 18D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Ronald L. Ellis. (Signed by Magistrate Judge Ronald L. Ellis on 8/20/2010) (jpo) (Entered: 08/20/2010)
08/05/2010		Minute Entry for proceedings held before Magistrate Judge Ronald L. Ellis: Telephone Conference held on 8/5/2010. Dispute at deposition. (mro) (Entered: 09/01/2010)
07/30/2010	<u>68</u>	SEALED DOCUMENT placed in vault.(cb) (Entered: 08/02/2010)
07/30/2010	<u>67</u>	MOTION to Certify Class. Document filed by Brian Balaguera, Carl Blessing, Charles Bonisignore, Scott Byrd, John Cronin, Glenn Demott, Andrew Dremak, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Edward A. Scerbo, Susie Stanaj, Janel Stanfield, Kevin Stanfield, Paul Stasiukevicius, Todd Stave, Paola Tomassini.(Sabella, James) (Entered: 07/30/2010)
07/28/2010	<u>66</u>	NOTICE OF CHANGE OF ADDRESS by Christopher M. Burke on behalf of Brian Balaguera. New Address: Scott+Scott LLP, 707 Broadway, 10th Floor, San Diego, CA, 92101, 619-233-4565. (Burke, Christopher) (Entered: 07/28/2010)
07/27/2010	<u>65</u>	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from James J. Sabella dated 7/22/10 re: counsel for plaintiff writes that Your Honor's Rules provide a 25-page limit for memoranda of law, with a 10-page limit for reply briefs. We write to request that the Court expand these limits with respect to Plaintiffs' upcoming motion for class certification, which is due to be filed on July 30. ENDORSEMENT: Denied. Page limits are those in the Individual Practices. (Signed by Judge Harold Baer on 7/27/10) (pl) (Entered: 07/27/2010)
07/14/2010	<u>64</u>	ENDORSED LETTER addressed to Judge Harold Baer, Jr from Peter Safirstein dated 7/12/2010 re: The parties jointly request the entry of an Order extending the due date for Plaintiff's motion for class certification to 9/1/10; Defendant's opposition by 11/1/2010 and Plaintiffs' reply papers by 12/1/2010. ENDORSEMENT: Denied. So Ordered. (Signed by Judge Harold Baer on 7/14/2010) (jfe) (Entered: 07/14/2010)
07/08/2010	<u>63</u>	REPLY MEMORANDUM OF LAW in Support re: <u>54</u> MOTION to Bifurcate.. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield. (Sabella, James) (Entered: 07/08/2010)
07/01/2010	<u>62</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>58</u> Motion for Thomas J. O'Reardon II to Appear Pro Hac Vice for plaintiffs. (Signed by Judge Harold Baer on 7/1/10) (cd) (Entered: 07/01/2010)
07/01/2010	<u>61</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>59</u> Motion for Timothy G. Blood to Appear Pro Hac Vice for plaintiffs. The Clerk is instructed to close this motion. (Signed by Judge Harold Baer on 7/1/10) (cd) (Entered: 07/01/2010)

06/30/2010		CASHERS OFFICE REMARK on <u>52</u> Motion to Appear Pro Hac Vice, <u>58</u> Motion to Appear Pro Hac Vice, in the amount of \$50.00, paid on 06/22/2010, Receipt Number 907267. (jd) (Entered: 06/30/2010)
06/28/2010	<u>60</u>	MEMORANDUM OF LAW in Opposition re: <u>54</u> MOTION to Bifurcate.. Document filed by Sirius XM Radio Inc.. (Attachments: # <u>1</u> Affidavit of Todd R. Geremia in Supp. of Sirius XM Radio Inc.'s Opp. to Pls.' Mot. to Bifurcate)(Grube, Brian) (Entered: 06/28/2010)
06/22/2010	<u>59</u>	MOTION for Timothy G. Blood to Appear Pro Hac Vice. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield.(mro) (Entered: 06/25/2010)
06/22/2010	<u>58</u>	MOTION for Thomas J. O'Reardon II to Appear Pro Hac Vice. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield.(mro) (Entered: 06/25/2010)
06/15/2010	<u>57</u>	NOTICE OF CHANGE OF ADDRESS by Anne Kristin Fornecker on behalf of Charles Bonisignore. New Address: Milberg LLP, One Pennsylvania Plaza, New York, New York, 10119, (212) 594-5300. (Fornecker, Anne) (Entered: 06/15/2010)
06/14/2010	<u>56</u>	REPLY MEMORANDUM OF LAW in Support re: <u>47</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 06/14/2010)
06/11/2010	<u>55</u>	MEMORANDUM OF LAW in Support re: <u>54</u> MOTION to Bifurcate.. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield. (Safirstein, Peter) (Entered: 06/11/2010)
06/11/2010	<u>54</u>	MOTION to Bifurcate. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield.(Safirstein, Peter) (Entered: 06/11/2010)
06/08/2010	<u>53</u>	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute: Discovery disputes. Referred to Magistrate Judge Ronald L. Ellis. Motions referred to Ronald L. Ellis. (Signed by Judge Harold Baer on 6/8/2010) (jmi) (Entered: 06/08/2010)
06/07/2010	<u>52</u>	STIPULATION AND ORDER GOVERNING DISCOVERY RELATING TO TESTIFYING EXPERTS: Counsel for plaintiffs and defendant Sirius XM Radio Inc. stipulate and agree to discovery relating to testifying experts in this matter as further set forth in said Order. This Stipulation will govern discovery related to testifying experts in this matter. This Stipulation and Order does not alter the parties' obligations under FRCP 26(a)(2) (B)(i) and (iii)-(v). (Signed by Judge Harold Baer on 6/7/10) (db) (Entered: 06/07/2010)
06/04/2010	<u>51</u>	DECLARATION of James J. Sabella in Opposition re: <u>47</u> MOTION to Dismiss., <u>37</u> MOTION to Dismiss.. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd,

		Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Sabella, James) (Entered: 06/04/2010)
06/04/2010	<u>50</u>	MEMORANDUM OF LAW in Opposition re: <u>47</u> MOTION to Dismiss., <u>37</u> MOTION to Dismiss.. Document filed by Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini, Janel Stanfield. (Sabella, James) (Entered: 06/04/2010)
05/18/2010	<u>49</u>	DECLARATION of Todd R. Geremia in Support re: <u>47</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 05/18/2010)
05/18/2010	<u>48</u>	MEMORANDUM OF LAW in Support re: <u>47</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 05/18/2010)
05/18/2010	<u>47</u>	MOTION to Dismiss. Document filed by Sirius XM Radio Inc..(Geremia, Todd) (Entered: 05/18/2010)
05/03/2010	<u>46</u>	SECOND CONSOLIDATED AMENDED CLASS ACTION COMPLAINT amending <u>32</u> Amended Complaint, against Sirius XM Radio Inc. Document filed by Janel Stanfield, Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Brian Balaguera, Carl Blessing, Scott Byrd, Glenn Demott, Melissa Fast, James Hewitt, Ronald William Kader, Edward Leyba, Greg Lucas, Kevin Stanfield, Todd Stave, Paola Tomassini. Related document: <u>32</u> Amended Complaint, filed by Paul Stasiukevicius, Susie Stanaj, Todd Hill, Curtis Jones, David Salyer, Carl Blessing, Joshua Nathan, Andrew Dremak, James Sacchetta, Edward A. Scerbo, Brian Balaguera, John Cronin, Charles Bonisignore.(mbe) (ama). Modified on 5/6/2010 (mbe). (Entered: 05/05/2010)
05/03/2010	<u>45</u>	ENDORSED LETTER addressed to Judge Harold Baer from James J. Sabella dated 4/29/2010 re: Counsel for Plaintiff write to inform the Court that Plaintiffs intend to file an amended complaint addressing certain agreements that Defendant Sirius XM Radio, Inc. has raised in its pending motion to dismiss. ENDORSEMENT: Under my rules there is no need to file the brief you refer to- the defendant will if he thinks it appropriate file another motion to dismiss given the right to amend, you availed yourself of it- you have no more such rights and we will see what the defendant does- I will not read this unnecessary expensive piece of scholarship and hopefully you won't bill for it. (Signed by Judge Harold Baer on 5/3/2010) (tro) Modified on 5/4/2010 (tro). (Entered: 05/03/2010)
04/27/2010	<u>44</u>	NOTICE OF APPEARANCE by Paul F. Novak on behalf of Charles Bonisignore (Novak, Paul) (Entered: 04/27/2010)
04/27/2010	<u>43</u>	NOTICE OF APPEARANCE by Anne Kristin Fornecker on behalf of Charles Bonisignore (Fornecker, Anne) (Entered: 04/27/2010)
04/27/2010	<u>42</u>	NOTICE OF APPEARANCE by Peter George Safirstein on behalf of Charles Bonisignore (Safirstein, Peter) (Entered: 04/27/2010)
04/23/2010	<u>41</u>	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from James J. Sabella dated 4/6/10 re: Plaintiffs therefore respectfully request that the Court enter a protective order in the form attached hereto as Exhibit A. ENDORSEMENT: It's hard for me to believe that SIRIUS is serious but whether they are or are not this is (Ex A) adequate protection for all concerned. Let's get started any further delay is to be reported to the Court orally or in a Rule 37 motion. (Signed by Judge Harold Baer on 4/22/10) (djc) Modified on 4/26/2010 (djc). (Entered: 04/23/2010)
04/23/2010	<u>40</u>	PROTECTIVE ORDER regarding procedures to be followed that shall govern the handling

of confidential material during the course of these proceedings. (Signed by Judge Harold Baer on 4/22/10) (djc) (Entered: 04/23/2010)

04/14/2010		CASHIERS OFFICE REMARK on <u>35</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 04/05/2010, Receipt Number 899449. (jd) (Entered: 04/14/2010)
04/14/2010		CASHIERS OFFICE REMARK on <u>33</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/30/2010, Receipt Number 899203. (jd) (Entered: 04/14/2010)
04/12/2010	<u>39</u>	DECLARATION of Todd R. Geremia in Support re: <u>37</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 04/12/2010)
04/12/2010	<u>38</u>	MEMORANDUM OF LAW in Support re: <u>37</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 04/12/2010)
04/12/2010	<u>37</u>	MOTION to Dismiss. Document filed by Sirius XM Radio Inc..(Geremia, Todd) (Entered: 04/12/2010)
04/09/2010	<u>36</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: granting <u>35</u> Motion for Christopher M. Burke to Appear Pro Hac Vice. (Signed by Judge Harold Baer on 4/9/2010) (tve) (Entered: 04/09/2010)
04/07/2010		CASHIERS OFFICE REMARK on <u>30</u> Motion to Appear Pro Hac Vice, <u>31</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 03/22/2010, Receipt Number 898375. (jd) (Entered: 04/07/2010)
04/06/2010	<u>34</u>	ORDER granting <u>33</u> Motion for Mary S. Thomas to Appear Pro Hac Vice for Curtis Jones, James Sacchetta, David Salyer, Paul Stasiukevicius, Carl Blessing. (Signed by Judge Harold Baer on 4/5/2010) (jmi) (Entered: 04/06/2010)
04/05/2010	<u>35</u>	MOTION for Christopher M. Burke to Appear Pro Hac Vice. Document filed by Brian Balaguera.(mro) (Entered: 04/06/2010)
03/30/2010	<u>33</u>	MOTION for Mary S. Thomas to Appear Pro Hac Vice. Document filed by Curtis Jones, James Sacchetta, David Salyer, Paul Stasiukevicius, Carl Blessing.(mro) (Entered: 03/31/2010)
03/22/2010	<u>32</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Sirius XM Radio Inc..Document filed by Brian Balaguera, Edward A. Scerbo, John Cronin, Charles Bonisignore, Andrew Dremak, Todd Hill, Curtis Jones, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Paul Stasiukevicius, Carl Blessing. Related document: <u>1</u> Complaint filed by Carl Blessing.(rdz) (Entered: 03/26/2010)
03/22/2010	<u>31</u>	MOTION for Thomas Demitrack to Appear Pro Hac Vice. Document filed by Sirius XM Radio Inc., Sirius XM Radio, Inc.Filed In Associated Cases: 1:09-cv-10035-HB, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(mro) (Entered: 03/23/2010)
03/22/2010	<u>30</u>	MOTION for Brian Keith Grube to Appear Pro Hac Vice. Document filed by Sirius XM Radio Inc., Sirius XM Radio, Inc.Filed In Associated Cases: 1:09-cv-10035-HB, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(mro) (Entered: 03/23/2010)
03/19/2010	<u>29</u>	STIPULATION AND ORDER REGARDING ESI DISCOVERY AND ESI-RELATED PRIVILEGE ISSUES: Pursuant to the Pretrial Scheduling Order entered by the Court on March 4, 2010 [Dkt. No. 25], plaintiff Carl Blessing and defendant Sirius XM Radio Inc. ("Sirius XM"), by and through their counsel, submit this Joint Stipulation and Order setting out the understandings they have reached regarding discovery of electronically stored information ("ESI") and ESI-related privilege issues in the above-captioned action (the "Action"). I. GENERAL PROVISIONS; A. The parties will prepare their production documents, to the extent reasonably practicable, in accordance with the specifications

outlined in the Technical Specifications for Production attached as Exhibit A. To the extent that production of any documents in accordance with the formats specified in Exhibit A is not reasonably practicable, the parties shall meet and confer in accordance with the procedure set out in the Advisory Committee Notes to the 2006 Amendments to Rule 34 to identify a reasonable, alternative format in which the documents may be produced. B. The parties will mutually seek to reduce the time, expense, and other burdens associated with discovery of ESI in the Action, including the management of any ESI-related privilege issues. To that end, they shall meet and confer regarding: (a) the specific custodians or sources from which ESI may be produced in the Action; (b) the search terms that may be used to identify responsive ESI for production in the Action; (c) the relevance, burden, and need for the production of any ESI created on or before the date on which the merger of Sirius XM's predecessor entities closed, with the exception of ESI included in submissions made by Sirius XM's predecessor entities in connection with the Regulatory Inquiries, as that term is defined in plaintiffs First Request for Production of Documents; and (d) other ESI-related issues that the parties reasonably believe may be worthwhile to discuss. C. Before filing any motion with the Court regarding ESI, the parties shall meet and confer in a good faith attempt to resolve any ESI-related disputes. D. Nothing in this Stipulation will affect in any way a producing party's right to seek reimbursement for document production costs. II. PROCESSING OF NON PARTY DOCUMENT; A. This Stipulation will cover joint processing of non party documents and specifications for production of non party documents. B. Unless otherwise agreed among the parties, the party that first issues a non party subpoena to a particular non party (the "First Party") will be responsible for: (1) taking reasonable steps to negotiate such that the non party's production shall be processed in accordance with the specifications in this Stipulation; and (2) distributing non party productions subject to this Agreement no later than two (2) business days of receiving the production (and in any event at least three days prior to any depositions of such non party or any present or former employee of such non party) to: James Sabella, Todd Geremia, and Brian Grube at the addresses listed in their respective signature block to this Stipulation. C. If a non party production is not Bates stamped, the First Party will provide unique prefixes and numbers to the vendor and will notify all parties of the Bates range and production. D. To the extent that a non party is making only identical productions in response to all subpoenas, to the extent practicable, that non party shall be instructed by the parties to the Action to make that one production to the First Party. After receipt of the production, the First Party shall undertake reasonable efforts to comply with Section III.B, above. E. To the extent that a non party is making distinct productions in response to different subpoenas, that non party will be instructed to make each distinct production to the party issuing the subpoena. The party in receipt of such distinct production shall undertake reasonable efforts to comply with Section III.B, above. III. PRIVILEGE; A. Consistent with Rule 502 of the Federal Rules of Evidence, the inadvertent production of any ESI to any party or non party in the Action, including any documents that previously may have been inadvertently produced in connection with the Regulatory Inquiries, as that term is defined in plaintiff's First Request for Production of Documents, or to another governmental agency in connection with the merger of Sirius XM's predecessors entities, shall not be asserted as a basis for the waiver of any privilege that would otherwise attach to such documents. The procedure for handling the inadvertent production of privileged materials specified in the Protective Order shall govern the inadvertent production of ESI containing information protected by the attorney-client privilege, work product doctrine, or another privilege or immunity. B. The parties will meet and confer, as may be appropriate, to identify means to reduce the burden of logging documents and ESI in any privilege log that may be produced in the Action. (Signed by Judge Harold Baer on 3/18/2010) (tro) (Entered: 03/19/2010)

03/17/2010

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ORDER CONSOLIDATING RELATED CASES AND APPOINTING INTERIM CLASS COUNSEL granting (6) Motion to Appoint Counsel; granting (6) Motion to Consolidate Cases 1:09-cv-10035 (as Lead Case) with 1:09-cv-10209, 1:09-cv-10468, 1:10-cv-526, 1:10-cv-1058 in case 1:09-cv-10035-HB. The motion shall be and the same hereby is granted. Pursuant to Rule 42(a) of the F.R.C.P., Edward A. Scerbo v. Sirius XM Radio Inc., No. 09 Civ. 10209 (HB), John A. Cronin v. Sirius XM Radio Inc., No. 09 Civ. 10468 (HB), Charles

Bonsignore v. Sirius XM Radio Inc., No. 10 Civ. 526 (HB), and Brian Balaguera v. Sirius XM Radio Inc., No. 10 Civ. 1058 (HB) shall and the same hereby is consolidated for all purposes with Carl Blessing v. Sirius XM Radio, Inc. No. 09 Civ. 10035 (HB). All papers filed in connection with the Consolidated Action shall be filed under Carl Blessing v. Sirius XM Radio, Inc., No. 09 Civ. 10035 (HB). All documents previously filed and served to date in any of the cases consolidated herein are deemed filed and served and are a part of the record in the Consolidated Action. All related actions subsequently filed in, or transferred to, this district shall be consolidated into this action, and shall be governed by this order, absent other order of this Court. Any party to such an action objecting to consolidation, or to any provision of this order, not later than 10 days after the date of this order is sent to it or its counsel, shall file a motion setting forth such objections. Pursuant to Rule 23(g) of the F.R.C.P., the law firms of Grant & Eisenhofer P.A., Cook, Hall & Lampros, LLP, and Milberg LLP are appointed plaintiff's Interim Class Counsel. Plaintiffs will file a Consolidated Complaint no later than 3/22/2010, as agreed upon at the pretrial conference held on 3/4/2010. Defendants will file a responsive pleading to the Consolidated Complaint by no later than 4/12/2010, as agreed upon at the March 4 pretrial conference, and it will be fully-briefed by 5/14/2010. ENDORSEMENT: Should a fee be awarded in this matter it is understood that while separate applications may be submitted any overlays in time or duplication in work will be taken into consideration prior to any award. (Signed by Judge Harold Baer on 3/17/2010) Filed In Associated Cases: 1:09-cv-10035-HB, 1:09-cv-10209-HB, 1:09-cv-10468-HB, 1:10-cv-00526-HB, 1:10-cv-01058-HB(tro) Modified on 3/29/2010 (tro). (Entered: 03/18/2010)

03/15/2010	<u>27</u>	RULE 26 DISCLOSURE. Document filed by Brian Balaguera, Carl Blessing, Sirius XM Radio Inc.. (Attachments: # <u>1</u> Exhibit A)(Geremia, Todd) (Entered: 03/15/2010)
03/05/2010	<u>26</u>	NOTICE OF APPEARANCE by Joseph Peter Guglielmo on behalf of Brian Balaguera (Guglielmo, Joseph) (Entered: 03/05/2010)
03/04/2010		Set Deadlines/Hearings: Discovery due by 11/15/2010. (tro) (Entered: 03/04/2010)
03/04/2010	<u>25</u>	PRETRIAL SCHEDULING ORDER: The parties do not consent to proceed before a U.S. Magistrate Judge for all purposes, pursuant to 28 U.S.C. 636(c) and F.R.C.P. 73. This case is added to the May 2011 Trailing Trial Calendar for Jury trial. Estimated number of trial days is 21. No additional causes of action or defenses may be asserted after 6/1/2010. Joinder of Parties due by 5/1/2010. All Discovery, except for expert discovery, due by 11/15/2010. Joint Pretrial Order due by 4/15/2011. Plaintiff's motion for class certification shall be filed by 7/30/2010. Defendant's opposition shall be filed by 9/30/2010. Reply by 10/29/2010. No party may make a dispositive motion returnable after 2/15/2011. Any motion shall be fully briefed by 2/15/2011. (Signed by Judge Harold Baer on 3/4/2010) (tro) (Entered: 03/04/2010)
03/03/2010	<u>24</u>	ORDER granting <u>23</u> Motion to Withdraw as Attorney. Attorney John Michael Bradley terminated. The Motion to Withdraw John M. Bradley as Attorney of Record is hereby SO ORDERED. (Signed by Judge Harold Baer on 3/3/2010) (tro) (Entered: 03/03/2010)
02/26/2010	<u>23</u>	MOTION for John M. Bradley to Withdraw as Attorney. Document filed by Sirius XM Radio Inc..(Geremia, Todd) (Entered: 02/26/2010)
02/25/2010	<u>22</u>	MEMORANDUM OF LAW in Support re: <u>21</u> MOTION to Dismiss.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 02/25/2010)
02/25/2010	<u>21</u>	MOTION to Dismiss. Document filed by Sirius XM Radio Inc..(Geremia, Todd) (Entered: 02/25/2010)
02/25/2010	<u>20</u>	ORDER GRANTING MOTION TO ADMIT CHRISTOPHER B. HALL PRO HAC VICE <u>16</u> Motion for Christopher B. Hall to Appear Pro Hac Vice. Christopher B. Hall is permitted to argue and try this particular case in whole or in part as counsel or advocate. ENDORSEMENT: Application for Pro Hac Vice GRANTED. The Clerk is instructed to close this motion. (Signed by Judge Harold Baer on 2/24/2010) (tro) (Entered: 02/25/2010)

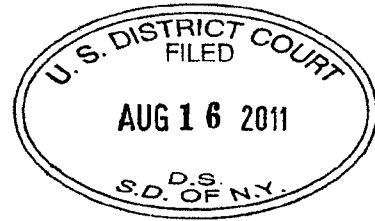
02/25/2010	<u>19</u>	ORDER GRANTING MOTION TO ADMIT EDWARD S. COOK PRO HAC VICE <u>15</u> Motion for Edward S. Cook to Appear Pro Hac Vice. Edward S. Cook is permitted to argue and try this particular case in whole or in part as counsel or advocate. ENDORSEMENT: Application for Pro Hac Vice GRANTED. The Clerk is instructed to close this motion. (Signed by Judge Harold Baer on 2/24/2010) (tro) (Entered: 02/25/2010)
02/25/2010	<u>18</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>14</u> Motion for John M. Majoras to Appear Pro Hac Vice. John M. Majoras is admitted to practice pro hac vice as counsel for Sirius XM Radio Inc. in this action. ENDORSEMENT: Application for Pro Hac Vice GRANTED. The Clerk is instructed to close this motion. (Signed by Judge Harold Baer on 2/24/2010) (tro) (Entered: 02/25/2010)
02/16/2010	<u>17</u>	ENDORSED LETTER addressed to Judge Harold Baer from Todd R. Geremia dated 2/3/2010 re: Counsel for defendant Sirius XM Radio, Inc. write in response to a 2/3/2010 letter submitted by counsel for plaintiff in the Blessing action in connection with the pending motion to consolidate these antitrust cases. Accordingly, Sirius respectfully requests that the Court either deny plaintiff's motion to consolidate and appoint interim class counsel in these cases, or, if the court grants the motion, order plaintiffs complaint instead of forcing Sirius to submit separate responses in each of these actions by the currently operative dates this month. ENDORSEMENT: All responses due on Feb. 25, 2010. (Signed by Judge Harold Baer on 2/5/2010) Filed In Associated Cases: 1:09-cv-10035-HB, 1:09-cv-10468-HB(tro) (Entered: 02/16/2010)
02/03/2010		CASHIERS OFFICE REMARK on <u>15</u> Motion to Appear Pro Hac Vice, <u>16</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 01/28/2010, Receipt Number 893232. (jd) (Entered: 02/03/2010)
02/03/2010		CASHIERS OFFICE REMARK on <u>14</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 01/28/2010, Receipt Number 893232. (jd) (Entered: 02/03/2010)
01/28/2010	<u>16</u>	MOTION for Christopher B. Hall to Appear Pro Hac Vice. Document filed by Carl Blessing. (mro) (Entered: 01/29/2010)
01/28/2010	<u>15</u>	MOTION for Edward S. Cook to Appear Pro Hac Vice. Document filed by Carl Blessing. (mro) (Entered: 01/29/2010)
01/28/2010	<u>14</u>	MOTION for John M. Majoras to Appear Pro Hac Vice. Document filed by Sirius XM Radio Inc.(mro) (Entered: 01/29/2010)
01/28/2010	<u>13</u>	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Todd R. Geremia dated January 26, 2010 re: We represent the defendant Sirius XM Radio Inc. ("Sirius XM") in Blessing v. Sirius Radio Inc., No. 09 CV 10035, and Cronin v. Sirius XM Inc., No. 09 CV 10468. We write to request an adjournment of time to respond to the Blessing and Cronin complaints, pending the Court's ruling on an unopposed motion to consolidate these related antitrust actions. The plaintiffs in both Blessing and Cronin have consented to this request for an adjournment. ENDORSEMENT: With respect to the outstanding complaints, you have until February 25 for your answer or motion. We will still have the pre trial conference on March 4 at 3 P.M., Sirius XM Radio Inc. answer due 2/25/2010. (Signed by Judge Harold Baer on 1/27/2010) Filed In Associated Cases: 1:09-cv-10468-HB, 1:09-cv-10035-HB(jmi) (Entered: 01/28/2010)
01/13/2010	<u>12</u>	RESPONSE to Motion re: <u>6</u> MOTION to Appoint Counsel. MOTION to Consolidate Cases 09-10035; 09-10209; 09-10468.. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 01/13/2010)
01/11/2010		CASHIERS OFFICE REMARK on <u>11</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 01/07/2010, Receipt Number 890783. (jd) (Entered: 01/11/2010)
01/07/2010	<u>11</u>	MOTION for John M. Bradley to Appear Pro Hac Vice. Document filed by Sirius XM Radio Inc..(mbe) (Entered: 01/08/2010)

01/07/2010		Set Deadlines/Hearings. Pretrial Conference set for 3/4/2010 at 03:00 PM before Judge Harold Baer. (mro) (Entered: 01/07/2010)
01/07/2010	<u>10</u>	LETTER addressed to Mr. Sabella from The Chambers of Harold Baer dated 1/6/10 re: There will be a Pre-Trial Conference (PTC) in the above case at 3:00pm on Thursday, March 4, 2010 in Chambers, Room 2230. It is your responsibility to notify your adversary(ies) of the date and time with a copy to us. (mro) (Entered: 01/07/2010)
01/04/2010	<u>9</u>	AFFIDAVIT OF SERVICE. Sirius XM Radio Inc. served on 12/10/2009, answer due 1/29/2010. Service was accepted by Denise Flemm. Document filed by Carl Blessing. (Sabella, James) (Entered: 01/04/2010)
12/30/2009	<u>8</u>	DECLARATION of James J. Sabella in Support re: <u>6</u> MOTION to Appoint Counsel. MOTION to Consolidate Cases 09-10035; 09-10209; 09-10468.. Document filed by Carl Blessing. (Attachments: # <u>1</u> Exhibit 1-8 Part 1, # <u>2</u> Exhibit 1-8 Part 2, # <u>3</u> Exhibit 1-8 Part 3, # <u>4</u> Exhibit 1-8 Part 4, # <u>5</u> Exhibit 1-8 Part 5, # <u>6</u> Exhibit 1-8 Part 6, # <u>7</u> Certificate of Service)(Sabella, James) (Entered: 12/30/2009)
12/30/2009	<u>7</u>	MEMORANDUM OF LAW in Support re: <u>6</u> MOTION to Appoint Counsel. MOTION to Consolidate Cases 09-10035; 09-10209; 09-10468.. Document filed by Carl Blessing. (Attachments: # <u>1</u> Certificate of Service)(Sabella, James) (Entered: 12/30/2009)
12/30/2009	<u>6</u>	MOTION to Appoint Counsel., MOTION to Consolidate Cases 09-10035; 09-10209; 09-10468. Document filed by Carl Blessing. (Attachments: # <u>1</u> Certificate of Service)(Sabella, James) (Entered: 12/30/2009)
12/29/2009	<u>5</u>	ORDER: Upon consideration of defendant Sirius XM Radio, Inc.'s Unopposed Request for Extension of Time to respond to the complaint, it is this 28th day of December, 2009 hereby ordered that Sirius XM Radio, Inc. has until January 29, 2010 to respond to Plaintiff Carl Blessing's Complaint. So Ordered (Signed by Judge Harold Baer on 12/29/09) (js) (Entered: 12/29/2009)
12/22/2009	<u>4</u>	MOTION for Extension of Time <i>to Respond to the Complaint (Unopposed)</i> . Document filed by Sirius XM Radio Inc.. (Attachments: # <u>1</u> Exhibit Docket Report)(Geremia, Todd) (Entered: 12/22/2009)
12/22/2009	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Liberty Radio LLC, Liberty Media Corporation as Corporate Parent. Document filed by Sirius XM Radio Inc.. (Geremia, Todd) (Entered: 12/22/2009)
12/22/2009	<u>2</u>	NOTICE OF APPEARANCE by Todd R. Geremia on behalf of Sirius XM Radio Inc. (Geremia, Todd) (Entered: 12/22/2009)
12/07/2009		Case Designated ECF. (ama) (Entered: 12/08/2009)
12/07/2009		Magistrate Judge Ronald L. Ellis is so designated. (ama) (Entered: 12/08/2009)
12/07/2009		SUMMONS ISSUED as to Sirius XM Radio Inc. (ama) (Entered: 12/08/2009)
12/07/2009	<u>1</u>	COMPLAINT against Sirius XM Radio Inc. (Filing Fee \$ 350.00, Receipt Number 707962) Document filed by Carl Blessing.(ama) (Entered: 12/08/2009)

PACER Service Center			
Transaction Receipt			
09/14/2011 17:12:32			
PACER Login:	bl0635	Client Code:	Sirius NY
Description:	Docket	Search	1:09-cv-10035-HB -

Report	Comments
Billable Pages: 30	Cost: 2.40

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Carl Blessing et. al.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

- against -

Sirius XM Radio

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

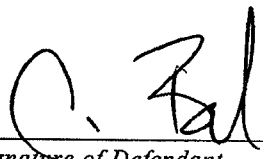
09 Civ. 10035 (HB) (RLE)

NOTICE OF APPEARANCE

Please take notice that I, Christopher Batman, ^{an objector} ~~a defendant~~ in
(name)
this action, hereby appear *pro se* and that all future correspondence and papers in connection with
this action are to be directed to me at the address indicated below.

Dated: Corpus Christi, Texas
(town/city) (state)

August 11, 2011

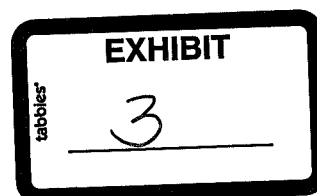

Signature of Defendant

7414 Lake Micala Dr.
Address

Corpus Christi, Texas 78413
City, State & Zip Code

(361) 548-8712
Telephone Number

361-698-5250
Fax Number (if you have one)



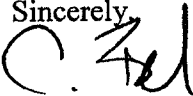
CHRISTOPHER BATMAN
7414 LAKE MICALA DR.
CORPUS CHRISTI, TEXAS 78413
Telephone: (361) 548-8712

August 11, 2011

Clerk of the United States
District Court for the Southern
District of New York
500 Pearl Street
New York, NY 10007-1312

RE: *Blessing v. Sirius XM Radio Inc., Civil Action No 09-CV-10035 HB*

I called the clerk today and was told that my objection was not filed because I didn't file a notice of appearance. I was told that in order to get my objection on file I need to file a Notice of Appearance. Enclosed for filing, please find the Notice of Appearance.

Sincerely,

Christopher Batman

cc: James J. Sabella, Esq.
GRANT & EISENHOFER, P.A.
485 Lexington Avenue
New York, NY 10017
Class Counsel

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Carl Blessing et. al.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

- against -

Sirius XM Radio

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

RECEIVED
SDNY DOCKET UNIT

2011 AUG 16 P 2:55

09 Civ. 10035 (HB) (RLE)

NOTICE OF APPEARANCE

Please take notice that I, Christopher Batman, ^{an objector} ~~a defendant~~ in
(name)
this action, hereby appear *pro se* and that all future correspondence and papers in connection with
this action are to be directed to me at the address indicated below.

Dated: Corpus Christi, Texas
(town/city) (state)
August 11, 2011

C. Batman
Signature of Defendant

7414 Lake Micala Dr.
Address

Corpus Christi, Texas 78413
City, State & Zip Code

(361) 548-8712
Telephone Number

361 - 698 - 5250
Fax Number (if you have one)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Carl Blessing et. al.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

09 Civ. 10035 (HB) (RLE)

- against -

Sirius XM Radio

AFFIRMATION OF SERVICE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, Christopher Batman, declare under penalty of perjury that I have
(name)

served a copy of the attached Notice of Appearance

(document you are serving)

upon James J. Sabella, Grant & Eisenhofer, P.A. whose address is 485 Lexington Avenue,
(name of person served)

New York, New York 10017

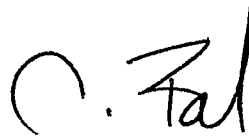
(where you served document)

by Certified Mail-RRR

(how you served document: For example - personal delivery, mail, overnight express, etc.)

Dated: Corpus Christi, Texas
(town/city) (state)

August 11, 2011
(month) (day) (year)



Signature

7414 Lake Micala Dr.

Address

Corpus Christi, Texas

City, State

78413

Zip Code

361.548.8712

Telephone Number